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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130

## Complete if Known

Application Number 09/913,695  
 Filing Date 16 Aug 2001  
 First Named Inventor Niels Rump  
 Examiner Name Unknown  
 Group / Art Unit Unknown  
 Attorney Docket No. 13189.136

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
 Order

☒ Deposit Account:

Deposit  
Account  
Number

50-1848

Deposit  
Account  
Name

Patton Boggs LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_


\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 130

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Carl A. Forest	Registration No. Attorney/Agent)	28,494	Telephone	303-379-1114
Signature				Date	July 26, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

#7

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Serial No. 09/913,695	)	Group Art Unit: Unknown
	)	
Filing Date: August 16, 2001	)	Examiner: Unknown
	)	
For: Method And Device for Generating An	)	Docket No.: 13189.136
Encrypted User Data Stream And	)	
Method And Device For Playing Back	)	
An Encrypted User Data Stream	)	
	)	
Inventor: Rump et al.	)	

## Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence, along with all papers referred to as being enclosed or attached, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to PCT Legal Office, Box PCT, Assistant Commissioner for Patents, Washington, DC 20231.

July 26, 2002  
Date

Elaine C. VonSpreckelsen  
Elaine C. VonSpreckelsen

PCT LEGAL OFFICE  
BOX PCT  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

Sir:

This Request For Reconsideration is filed in response to the Decision On Petition Under 37 CFR 1.47(a) mailed May 13, 2002. A copy of the Decision is enclosed. If the appropriate paper is a new Petition, then please consider this a Petition.

09/23/2002 LLANDGRA 00000095 501848 09913695

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## REQUEST FOR RECONSIDERATION

On page 2 of the Decision On Petition Under 37 CFR 1.47(a) mailed May 13, 2002, the examiner states "the declaration submitted is not in compliance with 37 CFR 1.497(a)(3) in that it does not properly identify each inventor."

The Decision on Petition was received by this law firm on May 22, 2002 and promptly docketed. See Exhibit A attached hereto. A revised Combined Declaration And Power Of Attorney that properly identified each inventor was prepared and sent via US Airmail to Mr. Rump at his address in Great Britain promptly on May 22, 2002. A self-addressed Federal Express Envelope was enclosed for Mr. Rump to return the Declaration

Serial No. 09/913,695  
Request For Reconsideration in response to  
Decision mailed 05/13/02

to this law firm. See the attached Exhibit B. Mr. Rump executed the Combined Declaration And Power Of Attorney on July 2, 2002. See the attached Declaration. Contrary to the instructions in the undersigned's letter of May 22, 2002, Mr. Rump forwarded the executed Combined Declaration And Power Of Attorney to his German attorney via snail mail. The German attorney promptly forwarded the executed Combined Declaration And Power Of Attorney to the undersigned, who received it on July 26, 2002, thirteen days after the deadline for replying to the Decision On Petition Under 37 CFR 1.47(a) mailed May 13, 2002. See the attached Exhibit C. An attached Declaration of Carl A. Forest verifies these facts.

The executed Combined Declaration And Power Of Attorney is enclosed. Since the document would be late without the allowance of the petition, this request for reconsideration of the petition is also being enclosed.

Since this is a situation the undersigned attorney has never before encountered, if everything needed to provide a filing date as of August 16, 2001 is not enclosed, please call the undersigned attorney.

For the reasons given above, the entrance of the instant application and its reconsideration is respectfully requested. The late entry fee in the amount of \$130.00 is enclosed. If any additional fee is due, please charge it to Deposit Account No. 50-1848.

Respectfully submitted,  
**PATTON BOGGS LLP**

By: 

Carl A. Forest, Registration No. 28,494  
Telephone: 303-379-1114  
Facsimile: 303-379-1155  
Customer No.: 24283

**Serial No. 09/913,695**  
**Request For Reconsideration in response to**  
**Decision mailed 05/13/02**

**Page 2**

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Patentanwälte · Postfach 710867 · 81458 München

PATTON BOGGS LLP

Attn.: Mr. Carl A. Forest, Ph.D.

867 Coal Creek Circle #200

Louisville, CO 80027

U. S. A.

**Fax  
Confirmation  
Bestätigung**

PATENTANWÄLTE

European Patent Attorneys  
European Trademark Attorneys

Fritz Schoppe, Dipl.-Ing.  
Tankred Zimmermann, Dipl.-Ing.  
Ferdinand Stöckeler, Dipl.-Ing.  
Franz Zinkler, Dipl.-Ing.

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e-mail: szsz\_iplaw@t-online.de

July 19, 2002

US-Patent Application 09/913,695

Applicants: RUMP, Niels et al.

Your ref.: 13189.136 - Our ref.: FH991204PUS/dg

Dear Mr. Forest:

Thank you very much for your letter dated May 17, 2002.

Please find enclosed the undersigned "Combined Declaration And Power Of Attorney" for the above-mentioned patent application.

Very truly yours,

*6/10/02, fsc*  
Fritz Schoppe

Enc.:

Power of attorney (by mail)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent Application Serial No. 09/913,695	)	Group Art Unit:	Unknown
	)		
Filing Date: August 16, 2001	)	Examiner:	Unknown
	)		
For: Method And Device for Generating An	)	Docket No.:	13189.136
Encrypted User Data Stream And	)		
Method And Device For Playing Back	)		
An Encrypted User Data Stream	)		
	)		
Inventor: Rump et al.	)		

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**DECLARATION OF CARL A. FOREST**

1. I, Carl A. Forest, am currently a Partner in Patton Boggs LLP and Regional Manager of the Patton Boggs LLP Boulder, Colorado office. I have a B.S. and a M.S. in physics and a Ph.D. in Solid State physics, and have worked in the area of thin film electronic devices, either as a physicist and/or as a patent attorney, for thirty-two years. I have written and prosecuted more than three hundred United States patent applications. A copy of my resume is attached as Exhibit A. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true.

2. The law firm of Schoppe, Zimmermann, Stöckeler & Zinkler, a German law firm representing the applicants in the instant application, is a client of Patton Boggs LLP, and I represent the applicants of the application in the prosecution of this application.

3. The Decision On Petition Under 37 CFR 1.47(a) was received by this law firm on May 22, 2002 and promptly docketed. See Exhibit A attached to the Request For Reconsideration.

4. A revised Combined Declaration And Power Of Attorney that properly identified each inventor was prepared and sent via US Airmail to Mr. Rump at his address in Great Britain promptly on May 22, 2002. A self-addressed Federal Express Envelope was enclosed for Mr. Rump to return the Declaration to this law firm. See Exhibit B attached to the Request For Reconsideration.

5. Mr. Rump executed the Combined Declaration And Power Of Attorney on July 2, 2002.

6. Contrary to the instructions in the undersigned's letter of May 22, 2002, Mr. Rump forwarded the executed Combined Declaration And Power Of Attorney to Schoppe, Zimmermann, Stöckeler & Zinkler via snail mail.

7. Schoppe, Zimmermann, Stöckeler & Zinkler promptly forwarded the executed Combined Declaration And Power Of Attorney to the undersigned, who received it on July 26, 2002, thirteen days after the deadline for replying to the Decision On Petition Under 37 CFR 1.47(a) mailed May 13, 2002. See Exhibit C attached to the Request For Reconsideration.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

July 26, 2002

By:

  
Carl A. Forest

# **CURRICULUM VITAE**

## **CARL FOREST, PH.D., J.D.**

### **Background Summary**

Forty- one years of high-tech electronics experience including 11 years teaching and research in solid state physics and 25 years in intellectual property law. Have written and prosecuted over 500 patent applications, most of which are in electronics, and about 250 of which involve integrated circuits.

### **Education**

J.D. Boston University, 1977 (Top quarter of class)  
Ph.D. Michigan State University, 1967 (Solid State Physics)  
M.S. Michigan State University, 1964 (Solid State Physics)  
B.S. University of Detroit, 1962 (Physics and Mathematics - Magna Cum Laude)

### **Honors**

Book Award, Torts, University of Idaho Law School 1972  
Teaching Fellow, National Science Foundation, 1964  
Detroit Edison Scholarship, 1958-1962

### **Technical Publications**

Effect of Plasma and Hole Current on the Optical Absorption of InSb, *Solid State Communications*, Vol. 10, No. 1, pp.111-114, 1 Jan. 1972.  
Current-Induced Reflectivity Effects in a Semiconductor, *The Physical Review B*, Vol. 1, No. 8, pp. 3347-50, April 1970.  
Effects of Current Flow on the Optical Absorption of a Semiconductor, *The Physical Review*, Vol. 173, No. 3, 746-754, Sept. 1968.

### **Professional History**

2001	Partner, Patton Boggs LLP, Washington, DC and Boulder, Colorado
1992 - 2001	Director, Duft, Graziano & Forest, P.C., Boulder, Colorado
1991 - 1992	Special Counsel, Dorr Carson Sloan & Peterson, P.C., Denver, CO
1990 - 1991	Private Legal Practice, Indianapolis, Indiana
1985 - 1990	Group Patent Counsel, Mallory Controls Company and Mallory Capacitor Company divisions of Emhart, Inc., and The Black and Decker Corp., Indpls., IN (Mallory was sold to Black and Decker by Emhart in 1989)
1982 - 1985	Senior Patent Attorney, Bristol-Myers Company, New York, N.Y.
1978 - 1982	Patent Attorney, Medtronic, Inc., Minneapolis, Minnesota
1977 - 1978	Associate, Moffatt Thomas Barrett and Blanton, Chtd., Boise, Idaho
1976 - 1977	Patent Law Clerk, Wolf Greenfield & Sacks, P.C. Boston, MA
1975 - 1977	Law Student, Boston University, Boston, MA
1973 - 1975	Associate, Mich. State University Physics Dept., E. Lansing, MI
1971 - 1972	Law Student, University of Idaho, Moscow, ID
1967 - 1971	Assistant Professor of Physics, University of Idaho, Moscow, ID
1962 - 1967	Teaching and Research Assistant, Physics, Michigan State University
1962 - 1963	Aerospace Engineer, NASA, Mountain View, CA and Greenbelt, MD

**Bar Memberships**

Colorado, U.S. Patent and Trademark Office, Federal Circuit Court of Appeals, United State District Court For the District of Colorado

**Other Memberships**

American Bar Association (IP Section), Colorado Bar Association, American Physical Society.



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**COMBINED DECLARATION AND POWER OF ATTORNEY**

**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)**

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As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is for a national stage of PCT application.

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am an original, first and joint inventor of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

**METHOD AND DEVICE FOR GENERATING AN ENCRYPTED USER DATA STREAM AND  
METHOD AND DEVICE FOR PLAYING BACK AN ENCRYPTED USER DATA STREAM**

**SPECIFICATION IDENTIFICATION**

The specification was filed on August 16, 2001, as Serial No. 09/913,695.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

**PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))**

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

Such applications have been filed as follows.

**PRIOR PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

INDICATE IF PCT	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 U.S.C. SECTION 119
PCT	PCT/EP99/09977	15 December 1999	yes

**PRIOR FOREIGN APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

COUNTRY	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 U.S.C. SECTION 119
Germany	19906449.0	16 February 1999	yes

**POWER OF ATTORNEY**

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

**Customer No. 24283**

SEND CORRESPONDENCE TO:  
**Customer No. 24283**

DIRECT TELEPHONE CALLS TO:  
Carl A. Forest  
303-379-1114

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Niels Rump

Inventor's signature

Date July 2, 2002

Country of Citizenship Germany

Residence Kent United Kingdom

Post Office Address 16 Chatsworth Avenue, Bromley, Kent BR1 1DP United Kingdom

---

Juergen Koller

Inventor's signature

Date

Country of Citizenship Germany

Residence Erlangen Germany

Post Office Address St. Johann 6/113, Erlangen D-91054 Germany

---

Karlheinz Brandenburg

Inventor's signature

Date

Country of Citizenship Germany

Residence Erlangen Germany

Post Office Address Haagstrasse 32, Erlangen D-91054 Germany